

Message Text

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PAGE 01 DOHA 01004 300629Z
ACTION SNM-05

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E.O. 11652: N/A
TAGS: SNAR, QA
SUBJECT: NARCOTICS LAWS

REF: STATE 170187

ALL VIOLATIONS OF QATAR'S NARCOTICS LAWS ARE PUNISHABLE BY
IMPRISONMENT OF NOT LESS THAN ONE YEAR AND NOT MORE THAN 5 YEARS
AND A FINE OF NOT LESS THAN 2,000 QATARI RIYALS (US\$1 IS 3.86QRS)
AND NOT MORE THAN 10,000 QRS. FOLLOWING ANSWERS ARE KEYED TO
REFTEL:

(1) POSSESSION: (A) NO. (B) NO. (C) IN PRACTICE PENALTIES FOR
POSSESSION ARE LESS SEVERE THAN OTHER NARCOTICS OFFENSES. NO
DETAILS ARE AVAILABLE.

(2) TRAFFICKING: (A) QATARI LAW CONSOLIDATES ALL CONTROLLED
SUBSTANCES INTO A GENERAL TRAFFICKING OFFENSE. (B) THERE ARE
MAXIMUM AND MINIMUM PENALTIES (ABOVE) BUT THERE ARE NO MANDATORY
SENTENCING REQUIREMENTS. THERE IS NO SPECIAL PROVISIONAL LIBERTY.
RELEASE ON PROBATION IS POSSIBLE FOR A MAXIMUM PERIOD OF THREE
YEARS. (C) MERE POSSESSION, INTENT TO TRAFFIC, ASSOCIATION WITH
TRAFFICKEERS OR PRODUCERS ARE CONSIDERED AS OFFENSES. (D) YES.

3. CULTIVATION: (A) YES. THE CULTIVATION OF ANY AMOUNT IS AN
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PAGE 02 DOHA 01004 300629Z

OFFENSE. (B) NOT APPLICABLE. (C) YES.

4. FINANCIAL: (A) NO. QATAR POLICE OFFICIALS REPORT THEY HAVE
NEVER ENCOUNTERED SUCH A SITUATION. (B) THERE ARE NO CURRENCY
CONTROL LAWS ON THE EXPORT OF CURRENCY OR TRANSFER OF FUNDS TO
FOREIGN BANK ACCOUNTS.

5. CRIMINAL PROCEDURE: (A) YES. FORTY-EIGHT HOURS. EMBASSY HAS

NO PREVIOUS EXPERIENCE IN OBTAINING CONSULAR ACCESS DURING THIS PERIOD. POLICE OFFICIALS STATE AS A GENERAL PRACTICE THAT ACCESS IS NOT PERMITTED. EMBASSY WILL WORK TO CHANGE THIS PROCEDURE. (B) ONE TO TWO WEEKS. NARCOTICS OFFENSES ARE NON-BAILABLE. (C) I AND II, ONE TO TWO WEEKS. III, THREE TO FOUR WEEKS. (D) THERE IS NO PUBLIC DEFENDER. IN THE ABSENCE OF AN ATTORNEY, THE COURT WILL ACT AS LEGAL COUNSEL. THIS USUALLY OCCURS IN THE FORM OF ADVICE FROM THE JUDGE. ADEQUATE LAWYERS ARE AVAILABLE. THERE ARE NO SET FEES. FEES ARE DETERMINED BY ABILITY OF CLIENT TO PAY AND LENGTH OF TIME SPENT ON CASE. ((E) YES. THIS IS LEFT ENTIRELY TO THE DISCRETION OF THE COURT WHICH DECIDES ON THE MERITS OF EACH CASSE. (F) YES. ALL OFFENDERS ARE DEPORTED BUT NOT UNTIL AFTER THEIR SENTENCE HAS BEEN SERVED AND THEIR FINES PAID.

6. COMMENT: GOQ IS IN PROCESS OF FORMULATING NEW, MORE DETAILED NARCOTICS LAW. NEW LAW REPORTEDLY WILL DIFFERENTIATE BETWEEN VARIOUS NARCOTICS. POST IS UNABLE TO OBTAIN COPIES OF PROPOSED LAW.
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